UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

SW GENERAL, INC. D/B/A SOUTHWEST AMBULANCE

and

Case 28-CA-177361

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL I-60

ORDER APPROVING STIPULATION, GRANTING MOTION, AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the National Labor Relations Board upon the joint motion of Respondent SW General, Inc. d/b/a Southwest Ambulance (Respondent), the Charging Party International Association of Fire Fighters, Local I-60 (Union), and the General Counsel to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record.

On August 31, 2016, the General Counsel, through the Regional Director for Region 28, issued a complaint and notice of hearing alleging that the Respondent unilaterally changed aspects of the bargaining unit employees' defined benefit pension plan beyond the scope of changes to the pension plan set forth in a memorandum of understanding reached by the parties. The complaint alleges that, by the foregoing conduct, the Respondent failed and refused to bargain collectively and in good faith with the exclusive collective-bargaining representative of its employees within the meaning of Section 8(d) of the Act and in violation of Section 8(a)(5) and (1) of the Act.

The complaint also alleges that the Respondent violated Sec. 8(a)(5) and (1) by making unilateral changes to the method for calculating an employee's years of service under the defined

On January 18, 2017, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for issuance of findings of fact, conclusions of law, and a Decision and Order. The parties request that the Board set 35 days from the date the Board grants this Motion as the time for filing briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which includes the joint motion and stipulation of facts, the joint exhibits, the statements of position by the General Counsel and the Respondent, and a statement of the issues presented, is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C., on or before November 2, 2017, and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., September 28, 2017.

By Direction of the Board:

Roxanne L. Rothschild

Deputy Executive Secretary

benefit plan. We grant the General Counsel's unopposed request, made in the parties' joint motion, to withdraw this allegation.